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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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PERKINS COIE LLP/AWS P.O. BOX 1247 SEATTLE, WA 98111-1247			EXAMINER NGUYEN, DUC MINH	
			ART UNIT	PAPER NUMBER
			2643	
DATE MAILED: 01/26/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/665,780

Applicant(s)

CHIEN, HERMAN

Examiner

Duc Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6-8, 10-12, 14-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang et al (6,253,327) in view of Schessel (6,304,566) and Wilf (6,496,824).

Consider claims 1, 6. Zhang teaches a method of making a telephone call through a shared local access network (column(s) 5, line(s) 49-65) that shares at least one modem (ISP inherently has at least one modem pool) among multiple users, the method comprising receiving request from one of the users of the shared local access network to place a telephone call through the shared modem to a public telephony network (public domain 304, fig. 4-6; column(s) 6, line(s) 40-55; column(s) 7, line(s) 8-29), wherein the shared local access network and shared modem together provide shared access to the public telephony network (public domain 304, fig. 4-6; column(s) 6, line(s) 40-55; column(s) 7, line(s) 8-29); before the telephone call is placed through the shared modem, authenticating the request as coming from a valid user of the shared local access network based at least in part on user identifying information for the user (fig. 4-6; column(s) 6, line(s) 40-55; column(s) 7, line(s) 8-29), and without requesting and requiring user input before each telephone call (column(s) 7, line(s) 30-65), wherein the authenticating is not

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performed at a destination associated with the telephone call (the authenticating process is performed at gateway 308).

Zhang does not teach that the request includes a telephone number of the user, and wherein the telephone call placed through the shared modem to the public telephone network includes the user's telephone number in addition to any telephone number associated with the shared modem; correlating the user identifying information with the billing information associated with the user, including the user's telephone number; and forwarding call charge information from the public telephone network so that the user is billed for the call, while other users of the shared modem are separately billed for telephone calls they placed.

Schessel that the request includes a telephone number of the user (subscriber's E.164; column(s) 1, line(s) 29-50), and wherein the telephone call placed through the shared modem to the public telephone network includes the user's telephone number (subscriber's E.164; see step 220); correlating the user identifying information with the billing information associated with the user (column(s) 4, line(s) 56-62, see fig(s). 1A), including the user's telephone number; and forwarding call charge information from the public telephone network so that the user is billed for the call, while other users of the shared modem are separately billed for telephone calls they placed (AMIN. Database 33 sends billing information to billing system (not labeled), see fig(s) 1A; column(s) 4, line(s) 56 through column(s) 5, line(s) 32; column(s) 5, line(s) 65 through column(s) 6, line(s) 46) for billing purpose.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Schessel into the teachings of Zhang for the purpose mentioned above.

Zhang in view of Schessel does not teach that the telephone call placed through the shared modem to the public telephone network includes the user's telephone number in addition to any telephone number associated with the shared modem pool.

Wilf teaches that the telephone call placed through the shared modem to the public telephone network includes the user's telephone number in addition to any telephone number associated with the shared modem pool (Proxy's IP address and Client-IP address; column(s) 1, line(s) 29-45) for the purpose of session management of internet communications.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Wilf into the teachings of Zhang in view of Schessel for the purpose mentioned above.

Consider claims 2-4. Schessel's column(s) 5, line(s) 10-32 read on the limitations of claims 2-4.

Consider claims 7-8. Schessel's column(s) 5, line(s) 10-32 read on the limitations of claims 7-8.

Consider claims 10-12, 14. Zhang teaches a method of making a telephone call through a shared local access network (column(s) 5, line(s) 49-65) that shares at least one modem (ISP inherently has at least one modem pool) among multiple users, the method comprising receiving request from one of the users of the shared local access network to place a telephone call through the shared modem to a public telephony network (public domain 304, fig. 4-6; column(s) 6, line(s) 40-55; column(s) 7, line(s) 8-29), wherein the shared local access network and shared modem together provide shared access to the public telephony network (public domain 304, fig. 4-6; column(s) 6, line(s) 40-55; column(s) 7, line(s) 8-29); before the telephone call is placed

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through the shared modem, authenticating the request as coming from a valid user of the shared local access network based at least in part on user identifying information for the user (fig. 4-6; column(s) 6, line(s) 40-55; column(s) 7, line(s) 8-29), and without requesting and requiring user input before each telephone call (column(s) 7, line(s) 30-65), wherein the authenticating is not performed at a destination associated with the telephone call (the authenticating process is performed at gateway 308).

Zhang does not teach that the request includes a telephone number of the user, and wherein the telephone call placed through the shared modem to the public telephone network includes the user's telephone number in addition to any telephone number associated with the shared modem; correlating the user identifying information with the billing information associated with the user, including the user's telephone number; and forwarding call charge information from the public telephone network so that the user is billed for the call, while other users of the shared modem are separately billed for telephone calls they placed.

Schessel that the request includes a telephone number of the user (subscriber's E.164; column(s) 1, line(s) 29-50), and wherein the telephone call placed through the shared modem to the public telephone network includes the user's telephone number (subscriber's E.164; see step 220); correlating the user identifying information with the billing information associated with the user (column(s) 4, line(s) 56-62, see fig(s). 1A), including the user's telephone number; and forwarding call charge information from the public telephone network so that the user is billed for the call, while other users of the shared modem are separately billed for telephone calls they placed (AMIN. Database 33 sends billing information to billing system (not labeled), see fig(s) 1A; column(s) 4, line(s) 56 through column(s) 5, line(s) 32; column(s) 5, line(s) 65 through

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column(s) 6, line(s) 46) for billing purpose. Schessel further teaches providing the user's telephone number if the user's telephone number is not provided via the telephone call (converting the IP address to E.164 telephone number; column(s) 5, line(s) 3-24; column(s) 6, line(s) 1-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Schessel into the teachings of Zhang for the purpose mentioned above.

Zhang in view of Schessel does not teach that the telephone call placed through the shared modem to the public telephone network includes the user's telephone number in addition to any telephone number associated with the shared modem pool.

Wilf teaches that the telephone call placed through the shared modem to the public telephone network includes the user's telephone number in addition to any telephone number associated with the shared modem pool (Proxy's IP address and Client-IP address; column(s) 1, line(s) 29-45) for the purpose of session management of internet communications.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Wilf into the teachings of Zhang in view of Schessel for the purpose mentioned above.

Consider claim 15. Zhang teaches a method of making a telephone call through a shared local access network (column(s) 5, line(s) 49-65) that shares at least one modem (ISP inherently has at least one modem pool) among multiple users, the method comprising receiving request from one of the users of the shared local access network to place a telephone call through the shared modem to a public telephony network (public domain 304, fig. 4-6; column(s) 6, line(s)

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40-55; column(s) 7, line(s) 8-29), wherein the shared local access network and shared modem together provide shared access to the public telephony network (public domain 304, fig. 4-6; column(s) 6, line(s) 40-55; column(s) 7, line(s) 8-29); before the telephone call is placed through the shared modem, authenticating the request as coming from a valid user of the shared local access network based at least in part on user identifying information for the user (fig. 4-6; column(s) 6, line(s) 40-55; column(s) 7, line(s) 8-29), and without requesting and requiring user input before each telephone call (column(s) 7, line(s) 30-65), wherein the authenticating is not performed at a destination associated with the telephone call (the authenticating process is performed at gateway 308).

Zhang does not teach that the request includes a telephone number of the user, and wherein the telephone call placed through the shared modem to the public telephone network includes the user's telephone number in addition to any telephone number associated with the shared modem; correlating the user identifying information with the billing information associated with the user, including the user's telephone number; and forwarding call charge information from the public telephone network so that the user is billed for the call, while other users of the shared modem are separately billed for telephone calls they placed.

Schessel that the request includes a telephone number of the user (subscriber's E.164; column(s) 1, line(s) 29-50), and wherein the telephone call placed through the shared modem to the public telephone network includes the user's telephone number (subscriber's E.164; see step 220); correlating the user identifying information with the billing information associated with the user (column(s) 4, line(s) 56-62, see fig(s). 1A), including the user's telephone number; and forwarding call charge information from the public telephone network so that the user is billed

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for the call, while other users of the shared modem are separately billed for telephone calls they placed (AMIN. Database 33 sends billing information to billing system (not labeled), see fig(s) 1A; column(s) 4, line(s) 56 through column(s) 5, line(s) 32; column(s) 5, line(s) 65 through column(s) 6, line(s) 46) for billing purpose.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Schessel into the teachings of Zhang for the purpose mentioned above.

Zhang in view of Schessel does not teach that the telephone call placed through the shared modem to the public telephone network includes the user's telephone number in addition to any telephone number associated with the shared modem pool.

Wilf teaches that the telephone call placed through the shared modem to the public telephone network includes the user's telephone number in addition to any telephone number associated with the shared modem pool (Proxy's IP address and Client-IP address; column(s) 1, line(s) 29-45) for the purpose of session management of internet communications.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Wilf into the teachings of Zhang in view of Schessel for the purpose mentioned above.

Consider claim 16. Schessel further teaches placing of the telephone call via the modem includes supplying the billing information associated with the user to the PSTN (e.g., forwarding the E.164 telephone number to the PSTN, column(s) 4, line(s) 54-62. It is noted that the telephone number is part of the billing information).

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Consider claim 18. The method as taught by Schessel is inherently performed for each of multiple users of the network who would like to access an ISP via a modem pool.

3. Claims 5, 9, 13, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang et al (6,253,327) in view of Schessel (6,304,566) and Wilf (6,496,824) as applied to claims 1-4, 6-8, 10-12, 14-16 and 18 above, and further in view of Ensor et al (5,721,780).

Consider claims 5, 9, 13, 17. Zhang in view of Schessel and Wilf does not teach that the network comprises a wireless network.

Ensor teaches the network comprises a wireless network (column(s) 3, line(s) 31-50) for the purpose of providing a password security system for securing access to a telecommunications network (column(s) 2, line(s) 1-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Ensor into the teachings of Zhang in view of Schessel and Wilf for the purpose mentioned above.


Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is (571) 272-7503. The examiner can normally be reached on 7:00AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kuntz Curtis can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Duc Nguyen
Primary Examiner
Art Unit 2643

01/22/06